



The relief described hereinbelow is SO ORDERED.

Signed March 01, 2023.

A handwritten signature in black ink, appearing to read "H. Mott".

**H. CHRISTOPHER MOTT
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:)	
)	
A&R CHAVIRA, LLC,)	Case No. 23-30067-HCM
)	Chapter 11
Debtor.)	

**ORDER GRANTING FIRST AMENDED MOTION FOR AUTHORIZATION TO
MAINTAIN AND USE PREPETITION BANK ACCOUNT AT FIRSTLIGHT OF EL
PASO DEL NORTE**

Came on this day to be considered the First Amended Motion for Authorization to Maintain and Use Prepetition Bank Account at First Light of El Paso Del Norte ("First Light") (the "Motion") filed by A&R Chavira, LLC ("A&R"), as Debtor-in-Possession in this Chapter 11 proceeding. After consideration of the pleadings, this Court is of the opinion that the relief requested in the Motion should be granted.

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED that A&R may maintain and use the following existing bank account at First Light:

a). **Account Ending XXXXX (0008)** which is used as an Operating Account for daily operations and receipt of all payments from its customers, as well as electronic payments to lenders (the “First Light Account”).

IT IS FURTHER ORDERED, ADJUDGED and DECREED that unless A&R voluntarily closes the First Light Account, or until such further order from this Court, A&R is authorized to allow the First Light Account to remain open subject to the conditions in this Order.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that A&R is authorized to continue using its existing negotiable instruments for the First Light Account, including pre-printed checks, until the supply of existing instruments is exhausted; but A&R shall:

- clearly imprint on each negotiable instrument the Case Name and Number **“In re A&R Chavira LLC Case No. 23-30067”** and “Debtor-in-Possession”;
- with respect to pre-printed checks, any new check stock ordered by A&R shall contain the “Debtor-in-Possession” reference and the Case Number;
- with respect to checks that A&R prints in-house, it shall begin printing those checks with a “Debtor-in-Possession” designation and Case Number within three (3) business days of the date this Order is entered.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that A&R shall close all prepetition bank accounts that remain open, if any, other than the First Light Account.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that A&R will provide to the Office of the United States Trustee (the “UST”) the location and account number of any additional Debtor-in-Possession account(s) opened by A&R.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that within seven business days of entry of this Order, A&R will provide the UST with sufficient evidence to show that all open bank accounts, including the First Light Account, have been properly styled as “Debtor-in-Possession” accounts.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that within three (3) days from entry of this Order, A&R shall cause a copy of this Order to be served on First Light and counsel to any creditors’ committee appointed in A&R’s Chapter 11 case, if any.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that at no time shall A&R maintain balances in the First Light Account greater than the federally insured limit, unless First Light becomes an authorized depository with the UST, Region 7, Western District of Texas.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that all institutions maintaining an account which constitute authorized depositories shall comply with the collateralization and reporting requirements of the UST for such authorized depository.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that A&R shall attach a copy of the monthly bank statements for the First Light Account to its Monthly Operating Reports.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that nothing contained herein shall prevent A&R from opening or closing the First Light Account as it may deem necessary and appropriate, upon further Motion and by Court Order.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that on or before March 31, 2023, A&R shall provide to the UST a reconciliation for the First Light Account ending

XXXXXX(0008), as of Petition Date, including copies of bank statements and lists of outstanding checks with dates, payees and amounts;

IT IS FURTHER ORDERED, ADJUDGED and DECREED that nothing on this Order shall preclude the Debtor or any other party in interest seeking modification of this Order upon motion to this court.

Submitted by:

**Carlos A. Miranda, Esq.
Carlos G. Maldonado, Esq.
Miranda & Maldonado, P.C.
5915 Silver Springs, Bldg. 7
El Paso, Texas 79912
(915) 587-5000 (Telephone)
(866) 201-0967 (Facsimile)
cmiranda@eptxlawyers.com
cmaldonado@eptxlawyers.com
Counsel for Debtor**